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TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [ET](#)
SUBJECT: ETHIOPIA -- 2009 TIP REPORT: PRESS GUIDANCE AND
DEMARCHE

REF: A. (A) STATE 59732
[1](#)B. (B) STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Ethiopia of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Ethiopia and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at www.state.gov/g/tip shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 EDT.

[1](#)5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Ethiopia of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing the framework in which the government's performance will be

judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

¶7. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

¶8. Begin Final Text of Ethiopia,s country narrative in the 2009 TIP Report:

ETHIOPIA (TIER 2)

Ethiopia is a source country for men, women, and children trafficked primarily for the purposes of forced labor and, to a lesser extent, for commercial sexual exploitation. Rural Ethiopian children are trafficked for domestic servitude and, less frequently, for commercial sexual exploitation and forced labor in agriculture, traditional weaving, gold mining, street vending, and begging. Young women from all parts of Ethiopia are trafficked for domestic servitude primarily to Lebanon, Saudi Arabia, and the U.A.E., but also to Bahrain, Djibouti, Sudan, Syria, and Yemen. Djibouti, Egypt, and Somaliland are reportedly the main transit routes for trafficked Ethiopians. Some women are trafficked into the sex trade after arriving at their destinations. Small numbers of men are trafficked to Saudi Arabia and the Gulf States for low-skilled forced labor. While the number of registered labor migration employment agencies rose from 36 to 90 between 2005 and 2008, the government significantly tightened its implementation of regulations governing these agencies over the same period. This resulted in an increase in trafficked Ethiopians transiting neighboring countries rather than traveling directly to Middle Eastern destinations.

The Government of Ethiopia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the Ethiopian government's ongoing efforts to provide pre-departure orientation to Ethiopian migrant workers and partner with a local NGO to detect cases of child trafficking within the country are notable, its limited capacity to prosecute trafficking crimes is a continued cause for concern. Police investigators remain unable to properly distinguish trafficking cases from those of other crimes or to conduct thorough investigations, and the judicial system routinely is unable to track the status of trafficking cases moving through the courts.

Recommendations for Ethiopia: Improve the investigative capacity of police and enhance judicial understanding of trafficking to allow for more prosecutions of trafficking offenders, particularly perpetrators of internal child trafficking; institute trafficking awareness training for diplomats posted overseas; engage Middle Eastern governments on improving protections for Ethiopian workers and developing a mechanism to refer trafficking victims for assistance; partner with local NGOs to increase the level of services available to trafficking victims returning from overseas; and launch a campaign to increase awareness of internal trafficking at the local and regional levels.

Prosecution

While the government sustained its efforts to prosecute and punish international trafficking offenders and initiated investigations of internal child trafficking during the reporting period, prosecution of internal trafficking cases remained nonexistent. In addition, law enforcement entities continued to exhibit an inability to distinguish human trafficking from smuggling, rape, abduction, and unfair labor

practices. Articles 596 through 600 and 635 of Ethiopia's Penal Code prohibit all forms of trafficking for labor and sexual exploitation.

The Federal High Court,s 11th Criminal Bench was established in late 2007 to hear cases of transnational trafficking, as well as any trafficking cases discovered in the jurisdiction of Addis Ababa. In June 2008, the court sentenced a man under Proclamation 104/1998 to 15 years imprisonment and fined him \$1,357 for illegally sending an Ethiopian woman to Lebanon where she was forced to work as a domestic servant and later thrown from a building by her employer. A second defendant received five years, imprisonment and a \$452 fine for facilitating the same woman,s trafficking for domestic servitude. In 2008, police at Addis Ababa,s central bus terminal received 899 reports of internal child trafficking, an increase over the previous year. However, unlike prior reporting periods, the unit did not provide statistics on the number of cases referred to the prosecutor,s office in 2008 or the status of cases referred to the prosecutor,s office in the preceding year. Some local police and border control agents are believed to have accepted bribes to overlook trafficking.

Protection

Although the government lacks the resources to provide direct assistance to trafficking victims or to fund NGOs that provide victim care, police employ victim identification and referral procedures in the capital, regularly referring identified internal trafficking victims to NGOs for care. During the year, the Child Protection Units (CPUs)) joint police-NGO identification and referral units operating in each Addis Ababa police station) rescued and referred children to the CPU in the central bus terminal, which is dedicated exclusively to identifying and obtaining care for trafficked children. In 2008, this unit identified 899 trafficked children, 75 percent of whom were girls. It referred 93 trafficked children to NGO shelters for care and family tracing and reunified 720 children with parents or relatives in Addis Ababa and in outlying regions. Local police and officials in the regional administrations assisted in the return of the children to their home areas. The Addis Ababa city government,s Social and Civil Affairs Department reunified an additional 46 children with their families in the capital and placed 40 children in foster care in 2008. During the year, police in Dessie Town, Amhara region replicated the CPU,s social programs without international assistance. In July 2008, the government assisted IOM with the repatriation of Ethiopian trafficking victims from Dar es Salaam to their home regions. Ethiopian missions in Jeddah, Riyadh, and Beirut have offices that provide general services to the local Ethiopian community, including limited referrals for labor-related assistance. The Ethiopian government showed no sign of engaging the governments of these destination countries in an effort to improve protections for Ethiopian workers and obtain protective services for those who are trafficked. The government made no effort to interview returned victims about their experiences in the Middle East. Returned women rely heavily on the few NGOs that work with adult victims and psychological services provided by the government,s Emmanuel Mental Health Hospital. In 2008, there were no reports of trafficking victims being detained, jailed, or prosecuted for violations of laws, such as those governing immigration. While police encourage trafficking victims, participation in investigations and prosecutions, resource constraints prevent police from providing economic incentives to victims. In January 2009, the government passed the Charities and Societies Proclamation, which, among other things, prohibits foreign-funded NGOs from informing victims of their rights under Ethiopian law or advocating on behalf of victims; this proclamation may have a negative impact on Ethiopia,s protection of trafficking victims.

Prevention

Ethiopia's efforts to prevent international trafficking

increased, while measures to heighten awareness of internal trafficking remained limited. In May 2008, after a series of deaths of Ethiopian maids in Lebanon, the government officially banned its citizens from traveling to the country; the ban remains in effect. During the reporting period, the Ministry of Labor and Social Affairs (MOLSA), employing two full-time counselors, provided 18,259 migrating workers with three-hour pre-departure orientation sessions on the risks of labor migration and the conditions in receiving countries. While these pre-departure preventative measures are commendable, they need to be matched by meaningful victim protection measures provided by the Ethiopian government in the countries for where the workers were destined. In addition, Private Employment Agency Proclamation 104/1998 governs the work of international employment agencies and protects Ethiopian migrant workers from fraudulent recruitment or excessive debt situations that could contribute to forced labor. These statutes prescribe punishments of five to 20 years' imprisonment, which are sufficiently stringent and exceed those prescribed for other grave crimes, such as rape. In 2009, an amendment to Proclamation 104/98 outlawing extraneous commission fees and requiring employment agencies to open branch offices in countries to which they send migrant workers was submitted to parliament for review. In January 2008, the Ministry of Foreign Affairs established a Women,s and Children,s Trafficking Controlling Department to collect data from Ethiopian diplomatic missions, NGOs, and police sub-stations on the status of migrant workers. Though this office has not yet issued its first report, in December it hosted an inter-ministerial discussion on child trafficking and labor abuse for mid-level government officials from the Ministries of Labor, Justice, and Women and Children,s Affairs. During the year, state-controlled Ethiopian Radio aired IOM,s public service announcements in four languages, as well as a program for listeners in Addis Ababa on the risk of trafficking through visa fraud. The Ministry of Education, in partnership with an NGO, revised primary school textbooks to include instruction on child labor and trafficking in the curriculum. Four teachers, training colleges in Southern Nations Nationalities Peoples, Regional State incorporated these topics in their teaching materials in 2008. The government did not undertake efforts to reduce demand for commercial sex acts during the reporting period. Before deploying Ethiopian soldiers on international peacekeeping missions, the government trained them on human rights issues, including human trafficking. Ethiopia has not ratified the 2000 UN TIP Protocol.

19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking

victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website www.state.gov/g/tip.

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 EDT.

(end non-paper)

110. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

111. The following is press guidance provided for Post to use with local media.

Q1: What progress has Ethiopia made in the last year?

A: The government convicted and sentenced to prison two individuals for illegally sending an Ethiopian woman to Lebanon where she was later thrown from a building by her employer. A joint police-NGO identification and referral unit at Addis Ababa's central bus terminal identified and/or received from other units 899 trafficked children. It referred such children to NGO shelters and reunified 720 with parents or relatives. The Addis Ababa city government's Social and Civil Affairs Department reunified additional children with their families in the capital and placed children in foster care. In May 2008, after a series of deaths of Ethiopian maids in Lebanon, the government officially banned its citizens from traveling to the country. The Ministry of Labor employed two full-time counselors who provided 18,259 migrating workers with three-hour pre-departure orientation sessions on the risks of labor migration and the conditions in receiving countries.

Q2: What can Ethiopia do to improve its fight against trafficking in persons?

A: Ethiopia's limited capacity to prosecute trafficking crimes is a continued cause for concern. Police investigators remain unable to properly distinguish trafficking cases from those of other crimes or to conduct solid, well-documented investigations, and the judicial system routinely fails to track the status of trafficking cases moving through the courts. Prosecution of internal trafficking cases remained nonexistent.

To further its anti-trafficking efforts, the Ethiopian government could: improve the investigative capacity of police and enhance judicial understanding of trafficking to allow for more convictions of trafficking offenders, particularly perpetrators of internal child trafficking; institute trafficking awareness training for diplomats posted overseas; instruct Ethiopian missions in Middle Eastern countries to engage host governments on improving protections for Ethiopian workers and developing a mechanism to refer trafficking victims for assistance; partner with local NGOs to increase the level of services available to trafficking victims returning from overseas; and launch a campaign to increase awareness of internal trafficking at the local and regional levels.

112. The Department appreciates posts, assistance with the preceding action requests.
CLINTON